

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP/(954) 797-1101

SUBJECT: Resolution
DG 7-1-01 Emerald Springs Homes of Davie/Robert Pasin, 2301 SW 130 Avenue/Generally located at the northwest corner of SW 26 Street and SW 130 Avenue.

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE REMOVAL OF THE BOND REQUIREMENT FOR 25% OF THE COST OF TRAFFIC SIGNALIZATION AT THE INTERSECTION OF SW 26 STREET AND SW 130 AVENUE FOR “EMERALD SPRINGS HOMES OF DAVIE” (149-48), AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner is requesting to remove the requirement to post a bond for 25% of the installation cost of a traffic signal at the intersection of SW 26 Street and SW 130 Avenue. There is no anticipated need for a traffic signal at this intersection. Staff has no objection to the request.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve

Attachment(s): Resolution, Planning Report, Justification letter, Landuse map, Subject site map, Aerial

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE REMOVAL OF THE BOND REQUIREMENT FOR 25% OF THE COST OF TRAFFIC SIGNALIZATION AT THE INTERSECTION OF SW 26 STREET AND SW 130 AVENUE FOR "EMERALD SPRINGS HOMES OF DAVIE" (149-48), AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as Emerald Springs Homes of Davie was recorded in the public records of Broward County in Plat Book 149, Page 48; and

WHEREAS, the owners desire to remove the bond requirement for 25% of the cost of traffic signalization at the intersection of SW 26 Street and SW 130 Avenue associated with said plat; and

WHEREAS, Broward County requires the Town of Davie to concur with this amendment prior to a review of the proposed amendment by the Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the removal of the bond requirement for 25% of the cost of traffic signalization at the intersection of SW 26 Street and SW 130 Avenue.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: Emerald Springs Homes of Davie
Address: 2556 University Drive
City: Coral Springs, FL 33065
Phone: (954)753-0170

Agent:

Name: Robert Pasin
Address: 3300 University Drive
City: Coral Springs, FL 33065
Phone: (954)345-0662

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to remove the requirement to post a bond for 25% of the installation cost of a traffic signal at the intersection of SW 26 Street and SW 130 Avenue.

Address/Location: 2301 SW 130 Avenue/Generally located at the northwest corner of SW 26 Street and SW 130 Avenue.

Future Land Use Plan Designation: Residential 1 DU/AC

Zoning: A-1, Agricultural District

Existing Use: 74 detached single family unit residential subdivision

Proposed Use: same

Parcel Size: 74.47 acres (3,244,185 square feet)

Surrounding Uses:

North: Single family residential, Vacant
South: Single family residential, Vacant
East: Single family residential, Vacant
West: Single family residential, Vacant

**Surrounding Land
Use Plan Designation:**

Residential 1 DU/AC
Residential 1 DU/AC
Residential 1 DU/AC
Residential 1 DU/AC

Surrounding Zoning:

North: A-1, Agricultural District
South: R-1, Estate Dwelling District
East: A-1, Agricultural District and U, Utilities District
West: A-1, Agricultural District

ZONING HISTORY

Related Zoning History: None.

Previous Request on same property: Town Council approved the plat request, P 1-4-90 “Emerald Springs Homes of Davie” (149-48), on March 21, 1990 with a plat note restricting the plat to 74 detached single family homes.

Town Council approved the site plan request, SP 11-7-94 Emerald Springs Homes of Davie, on November 30, 1994.

Summary of Significant Development Review Agency Comments

The Engineering Department has no objections to the request.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 2. Planning area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 113.

Concurrency Considerations: The application indicates no increase in trips on the roadway network.

Staff Analysis/Findings of Fact

There is no anticipated need for a traffic signal at the intersection of SW 26 Street and SW 130 Avenue. Staff has no objection to the request to remove the bond requirement for 25% of the cost of traffic signalization for the “Emerald Springs Homes of Davie” (149-48) plat.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends **approval**, of petition DG 7-1-01.

Exhibits

1. Resolution
2. Justification letter
3. Landuse map
4. Subject site map
5. Aerial

Prepared by: _____

Reviewed by: _____

ROBERT PASIN

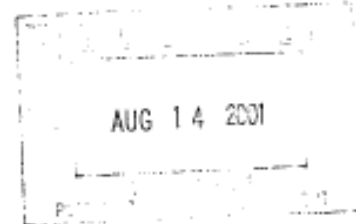
ATTORNEY AT LAW



Coral Springs Financial Center
3300 University Drive, Suite 601
Coral Springs, FL 33065
(954) 345-0662
Fax: (954) 345-3902



TO: DAVIE TOWN COUNCIL
TOWN OF DAVIE
DAVIE, FLORIDA



FROM: Emerald Springs Homes Of Davie, Inc.

RE: Justification Letter for Delegation Request
regarding elimination of traffic signal requirement for the intersection of
SW 26 Street and SW 130 Avenue, Davie, Florida
(Emerald Springs Homes of Davie Plat Book 149, page 48)

Emerald Springs Homes of Davie, Inc., requests relief from the requirement for a traffic signal at the intersection of SW 26th Street and SW 130th Ave., Davie Florida.

The traffic signal requirement was imposed upon the original plat due to the fact that, at that time (several years ago) it was conceived that traffic flow upon SW 26th Street and SW 130th Ave. would be considerably heavier than it actually is today. Similarly situated intersections in the area do not have, and do not require, a traffic signal. Further, SW 26th Street was to connect with Flamingo Road. This has not occurred and there are no preparations for its imminent occurrence. This either may no longer be intended, or may not be intended to occur for a considerable time. Motor vehicle traffic at the subject intersection does not warrant the originally considered traffic signal. Therefore, it is requested that the requirement be lifted. Emerald Springs Homes of Davie, Inc., through its attorney, Robert Pasin, has been in contact with Mr. Lou Garcia of the Broward County Public Works Department, Engineering Division, and Mr. Martin Berger of the Broward County Development Management Division, regarding the submission of a delegation request to Broward County for this purpose. They did not indicate any opposition to the substance of this request.

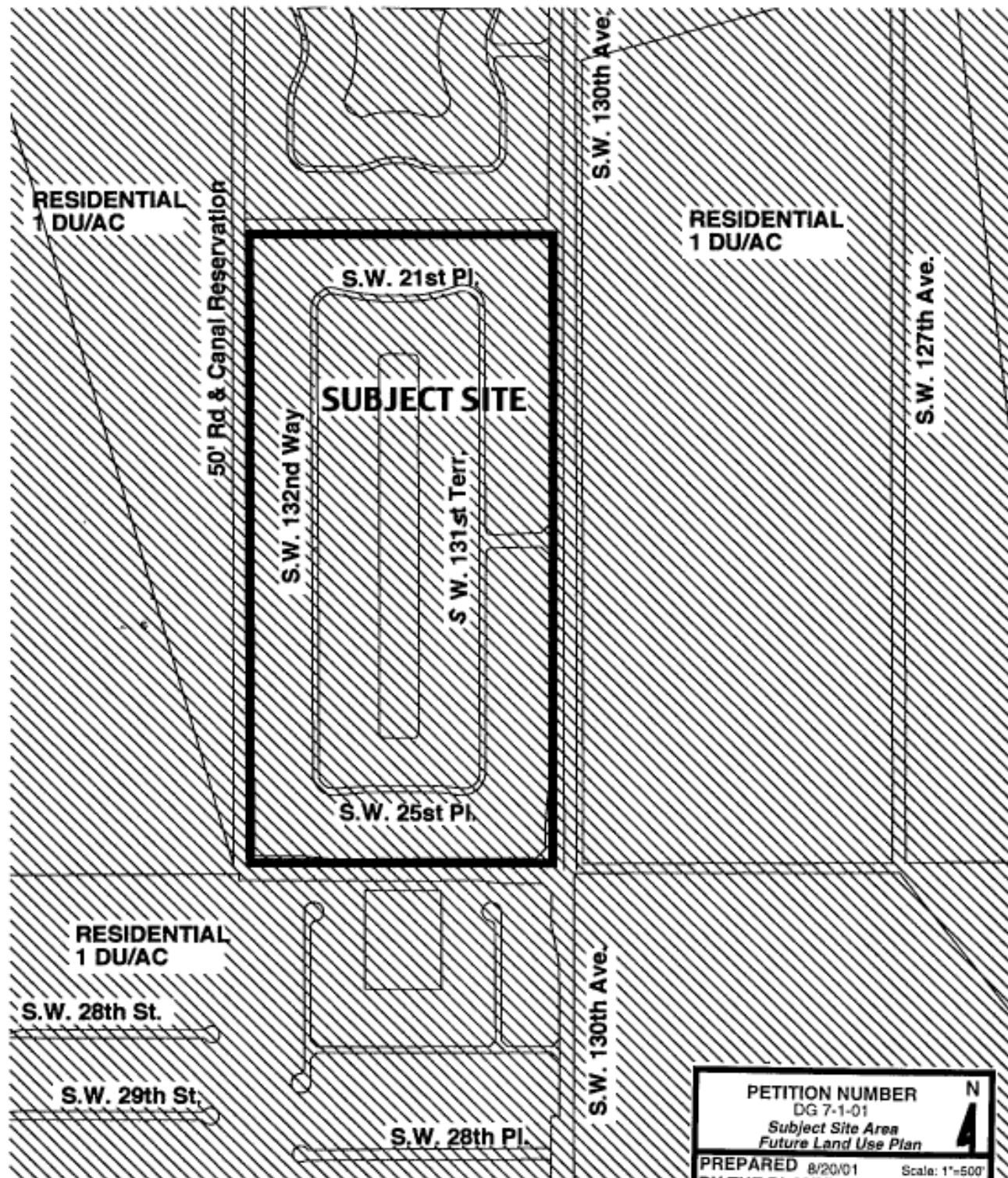
The county requires a party seeking a delegation request to submit a "position letter" from the affected municipality. The Town of Davie requires that a separate delegation request be submitted to the Town Council in order to obtain such a letter.

Emerald Springs Homes of Davie, Inc., is presently required to post a bond to secure its payment toward such a traffic signal. It has already borne the considerable expense of procuring this bond for many years and requests that the Town of Davie give its approval for an amendment to the subject plat eliminating the traffic signal requirement so that it will not have to bear this expense for years to come.

Respectfully submitted: Emerald Springs Homes of Davie, Inc.,


SAMUEL SCHACHTER, PRESIDENT


ROBERT PASIN, ATTORNEY



Van Kirk
Grove (15-45)

Block 1

A-1

June Groves
(150-3)
Parcel 27
Judy Edmondson

SUBJECT SITE

PRD-4

CF

AG

A-1

AG

U

A-1

R-1

Weldon Grove Estates
(14-1-10)

Peco Estates
(146-17)

PETITION NUMBER
DG 7-1-01

Subject Site Area Zoning Map

PREPARED 8/20/01
BY THE PLANNING &
ZONING DIVISION

Scale: 1"=500'

N

